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Mail Stop Amendment, Commissioner for Patents,
P.O. Box 1450, Alexandria, VA 22313-1450
on October 14, 2005

Patent Application
Docket No. DAS-104XC1
Confirmation No. 8974


Jay M. Sanders, Patent Attorney

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner : Karen C. Carlson
Art Unit : 1653
Applicant(s) : Timothy D. Hey, Amanda D. Schleper, Scott A. Bevan, Scott B. Bintrim,
Jon C. Mitchell, Ze Sheng Li, Weiting Ni, Baolong Zhu, Donald J. Merlo,
Patricia C. Apel-Birkhold, Thomas Meade
Serial No. : 10/754,115
Filed : January 7, 2004
For : Mixing and Matching TC Proteins for Pest Control

Mail Stop Amendment
Commissioner for Patents
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Alexandria, VA 22313-1450

SUPPLEMENTAL ELECTION

Sir:

The applicant received a communication from the Patent Office dated September 14, 2005 in the above-referenced application indicating that the Election submitted on August 8, 2005, was not fully responsive to the Restriction Requirement dated July 8, 2005, and that a new time period, the longer of one month or thirty days from the mailing date of the communication, was set for the applicant to respond.

In response to the communication from the Patent Office dated September 14, 2005, the applicants wish to clarify that SEQ ID NO:34 (XptA2 Xwi) should have been elected as the Protein A sequence for initial examination purposes. This sequence is the same as SEQ ID NO:20, but the examiner correctly noted that SEQ ID NO:20 is not the sequence referred to in the claims. The undersigned apologizes for any confusion in this regard.

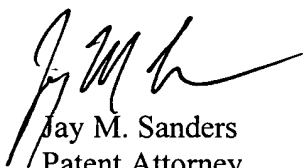
The applicants maintain their election of Group I (claims 1-15 and 18-20, directed to a method of controlling insects via Protein A, Protein B, and Protein C) and the election of SEQ ID NO:45 (TcdB2) for Protein B.

The applicants also hereby elect SEQ ID NO:47 (TccC3) for Protein C, for initial examination purposes. This election is made in favor of, and supersedes and replaces SEQ ID NO:57 (TccC5), which was a combined DNA/amino acid sequences.

Although it is believed that no fees are due in connection with this Supplemental Response, the Commissioner is hereby authorized to charge any such fees to Deposit Account 19-0065.

The applicants invite the Examiner to call the undersigned if clarification is needed on any of this response, or if the Examiner believes a telephonic interview would expedite the prosecution of the subject application to completion.

Respectfully submitted,



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